



Australian Network
for Universal
Housing Design



Rights & Inclusion Australia
ABN 60 149 775 100

17 February 2018

BMF Ministers

Dear Minister,

**Regulation of minimum access features in housing
within the National Construction Code.**

We thank you, as a member of the Building Ministers Forum (BMF), for undertaking a national Regulatory Impact Assessment (RIA) regarding accessibility for private residences. Your communiqué on 6 October 2017 stated that “the RIA will examine the silver and gold performance levels as options for a minimum accessible standard; use a sensitivity approach; and be informed by appropriate case studies.” You note in your communiqué in April 2017 that the RIA should “be undertaken as soon as possible”. You clearly understand the urgency of this matter. Without immediate and purposeful action, COAG will not meet its commitment to ensure all “all new homes will be of agreed universal design standards by 2020”¹.

We ask that you give the highest priority to the RIA regarding accessibility in housing so that any recommendations to update the National Construction Code can be included in the 2019 edition.

We note that the Business Plan 2017-2018 of the Australian Building Codes Board (ABCB) includes the commencement of a scoping analysis to inform the RIA. To date, the office has worked courteously and constructively with us, including posting our national survey on their website. Nevertheless, the pace at which the ABCB office is proceeding does not reflect your sense of urgency and precludes COAG meeting their 2020 commitment. This cannot be due to a lack of knowledge of your explicit directions or of the issues at stake.

By 2014, it was clear that the voluntary approach supported by the housing industry had failed to meet any interim targets and was unlikely to reach 5% of the 2020 target. We brought this to the attention of all relevant State and Commonwealth Ministers in 2015 in our Report on the Progress of the National Dialogue on Universal Housing Design². No action was taken.

¹ COAG. (2011). *2010–2020 National Disability Strategy: An initiative of the Council of Australian Governments*. Canberra: Australian Government.

² https://aduhdblog.files.wordpress.com/2016/08/nduhd_report_jan15.pdf

In May 2016, we submitted a Proposal For Change (PFC)³ to the National Construction Code for accessibility in housing, so that this market failure would be brought directly to the attention of the ABCB, and acted on in good time. No action was taken. The ABCB informed us that this was “a policy rather than a technical matter” and beyond their purview. We anticipated more proactive consideration by the ABCB, given COAG’s commitment, and the support for the PFC by over a 100 community, human rights and research organisations. This did not happen.

The ABCB now informs us that any changes to the NCC in response to your direction will not occur until 2022. At this time, two of Australia’s most extensive reforms⁴ are being implemented to keep older people and people with disability in their homes, within their families and communities; yet, over half a million inaccessible dwellings will be built.

Already, members of the Disability Reform Council, with whom you have committed to consult⁵, have expressed their concerns to us about any delay in the RIA process. Please see attached correspondence.

We seek your immediate response to this urgent matter by email to anuhd@anuhd.org.

Thank you.

Yours Sincerely,



For

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³ <https://aduhdblog.files.wordpress.com/2016/05/accessibility-in-housing-abc-b-proposal-with-insets.pdf>

⁴ Aged Care Reform and National Disability Insurance Scheme

⁵ Building Ministers’ Forum Communiqué, Friday, 6 October 2017,